

**ALTERNATIVES DEVELOPMENT GROUP (ADG)
SOUTHWEST FLORIDA ENVIRONMENTAL IMPACT STATEMENT
MEETING #3, May 21 - 22, 1998**

MEETING NOTES: FINAL

The notes provided below document the main points and meeting progress that were offered during the meeting on May 21 through May 22. The notes highlight and summarize the key issues that were discussed at the ADG meeting. The following section provides an overall summary of the meeting, and the remaining sections summarize each of the agenda items as they occurred in the meeting. Selected attachments are provided in this document. Any comments on accuracy of these notes are welcome and will be reflected in a subsequent version of this meeting report. Note that copies of this document were provided electronically either through e-mail, facsimile, <http://www.saj.usace.army.mil/permit/projects.htm>, or <ftp://ftp.saj.usace.army.mil/pub/bbarron>. Attachments are included in the electronic version when reasonably possible. Otherwise, the full version with all attachments will be distributed at the next ADG meeting.

Meeting Overview

The Alternatives Development Group (ADG) met on May 21 through May 22, 1998, at the Lee County Electric Cooperative building. All ADG members were represented at the meeting. The roster of attendees is presented in Attachment A. The purpose of the two day meeting was to (1) receive a permit process case study presentation, (2) develop a graphical "broad-brush" vision for the study area, and (3) continue to identify and define factors by which to evaluate future alternatives.

The meeting began the morning of May 21 with administrative announcements followed by the introduction of members/alternates, observers, and the facilitation team. Dale Brown, lead facilitator for Planning and Management Consultants, Ltd. (PMCL), reviewed the ground rules for all ADG meetings.

Colonel Miller, Jacksonville District Engineer, addressed the ADG. He wanted to clarify the ADG's role and opportunities in this process. He also wanted to assure the ADG of the Corps' commitment in making this process a success.

Bob Barron, representative of the Corps regulatory division, presented a permit process case study. Using the twelve issue categories identified by the ADG at the first meeting, he applied these to a hypothetical alternative. In his presentation, he compared the twelve issue categories of the ADG to those used by the Corps. The presentation is provided in Attachment B.

The ADG completed a graphical vision for the study area that was used to get some broad-brush perspectives on a map. Each member of the ADG graphically depicted their vision for the study area on a map. In subgroups they identified areas of commonality and as a result areas of no commonality. These areas were then identified on a composite map of the study area. The composite map is presented in Attachment C.

The ADG divided into factor specialty groups to identify evaluation factors. The groups made an initial attempt at identifying evaluation factors, determining factor measurement, and identifying data sources and reference materials. The group will continue their development of evaluation factors at the fourth meeting.

Administrative Activities

Dale Brown and Tim Feather opened the third meeting with a number of administrative activities. These activities included (1) administrative announcements, (2) second meeting overview, and (3) third meeting agenda.

Administrative Announcements

The third ADG meeting was brought to order on day one by Dale Brown at 9:05 a.m. Mr. Brown addressed administrative issues regarding facilities, lunch, and other logistical items. The group was reminded to pick up a complete set of draft notes from the regarding the second meeting and check the sign-in sheet. Mr. Brown started the meeting with introductions of members, alternates, observers, and the facilitation team members. Mr. Brown presented the ground rules for the ADG meetings.

Overview of Previous Meeting

Tim Feather presented an overview of the second ADG meeting using overheads provided in Attachment H of the second meeting notes (which were handed out to the group). Generally, the group accepted the presentation and the meeting notes as both accurate and an appropriate level of detail. A couple of points were raised by the group. First, Jan Goldman-Carter's name was misspelled in the notes. Also, population growth estimates reflected in the notes for Collier County did not reflect recent changes. It was agreed that growth estimates are dynamic. Clarification of these growth projections will be presented at the next meeting. Several corrections and points of clarification were made regarding the Lee County Comprehensive Plan. A member of the ADG provided a website concerning cumulative impacts. The site is <http://ceq.eh.doe.gov/nepa/ccenepa/ccenepa.htm>. Lastly, it was stated that the parking lot issues

from second meeting were not presented in the notes. The necessary changes will be incorporate into the final notes for the second meeting.

Mr. Feather again suggested that the summary presentations for the first two meetings may be presented to other interested organizations. It is essential that the progress and findings of the ADG be exposed to the public. Mr. Feather offered PMCL's support regarding these presentations.

There were a number of e-mail distribution problems experienced during the transmission of the notes from the second meeting. Several ADG members received the e-mail and attachments multiple times. The alternative method of distribution of the meeting notes is the use of the Jacksonville District's ftp site (<ftp://ftp.saj.usace.army.mil/pub/bbarron>). This will be the method of distribution for the meeting notes of the third meeting.

Agenda

The agenda for the third meeting was presented by Mr. Feather. The agenda item of a permit case study from the Corps perspective was requested by the ADG. Other activities on the agenda were a visioning exercise and the identification of factors used to evaluate future alternatives for the study. An additional item not on the agenda was Colonel Miller's address to the ADG.

Colonel Miller's Address

Colonel Miller introduced himself and stated that the Environmental Impact Statement for Lee and Collier Counties is one of his top priorities. Colonel Miller with support from John Hall, Chief of Corps Regulatory Division, addressed five questions presented by the ADG during the second meeting. The five questions were as follows;

1. Is the ADG addressing vision or change in permit process?
2. Are the ADG's alternatives constrained by statutes?
3. Is the primary concern of the ADG cumulative impacts?
4. If ADG addresses the issues of (1), property rights, (2) regulatory efficiency, and (3) mitigation, are the remaining issues addressed as well?
5. Does the ADG need to address the "twenty five criteria" ?

Colonel Miller stated to the group that this is an opportunity to present the ADG's vision for Lee and Collier Counties. He asked the group what they wanted the counties to look like in the years 2020 or 2025. Colonel Miller does not want the Federal Government (i.e., Corps of Engineers) to be a barrier to the future of Lee and Collier Counties. The ADG was not established to critique the Corp's permit process -- the vision is what should be emphasized.

Items two and three were answered by indicating the Corps does not want the group to be constrained by thinking within the statutes when developing alternatives. Colonel Miller stated that the issue of cumulative impacts is definitely an important issue in Lee and Collier Counties but is not the only issue.

It was questioned that if the ADG addressed the three issues listed in item four then all twelve issues raised by the ADG would be addressed as well. Colonel Miller reiterated that the ADG should not be constrained. It was also stated that all twelve issues are important to the residents of Lee and Collier Counties. John Hall stated that during the scoping process these same twelve issues were identified by the general public during the public meetings. The ADG should pay full attention to all issues that are critical in Lee and Collier counties.

Lastly, the Corps representatives address the notion of the twenty-five Corps criteria (factors) addressed in the Corps' permit process. The twelve issues identified by the ADG are region specific and are important to address in Lee and Collier Counties during the alternatives development process. There are a number of Corps criteria that are addressed in the set of twelve issues. However, there are a several Corps criteria that are not applicable in this region such as "hardgrounds". Hardgrounds are the hard bottoms off the coast that may attract coral. The Corps criteria were addressed more completely in the presentation of a Corps permit process case study discussed in the next section.

It was reiterated, that this is an opportunity for the ADG to developed a vision specific to Lee and Collier Counties. There are certain givens in the Corps permit review process that are locked in place and that this "process" is not the focus of the ADG. However, it is not beyond the Corps in a different forum to address concerns regarding the Corps permit process. There was concern that the group, trying to understand the Corps permit process, has shifted from its objective of developing alternatives for Lee and Collier Counties. The ADG is to develop a road map for the future of Lee and Collier Counties.

It was stated that alternative for the study area could range from "no growth" to "business as usual". There were concerns from several members that there are not enough data to support or evaluate certain alternatives. John Hall stated that the Corps has access to at least ninety-five percent of the data the ADG would need. This process will help the Corps find new data sources. Mr. Hall stated that the part of the reason the individuals of this group were chosen were to help identify data sources in their individual areas of expertise. If, by chance, the data is not available it will be noted in the Environmental Impact Statement (EIS).

A number of additional points were raised during Colonel Miller's address to the ADG. A member requested that the Corps give the ADG an opportunity to review the section of the EIS document developed by the ADG. Mr. Hall stated that the final document will be written and approved by the ADG. However, the document will go through a review and comment period. It is the Corps intention to request the ADG have a final critique of the document.

It was stated by another member that the title of the group, Alternatives Development Group, is unclear to the public in its implication. The group may more appropriately be called the

Land Use Planning Group. Another member of the group addressed this comment by stating that the group is to develop and evaluate alternatives thus the name. It was brought up by a member that the Memorandum of Understanding (MOU) stated that the existing county plans are optimal for the county but do not necessarily coincide with the Corps. John Hall stated that the ADG will eventually address the county plans as alternatives using the evaluation factors developed by the ADG. Lastly, one member stated that periodically the group struggles with its goal. It might help the group stay focused if hang the ADG mission statement on the wall at each meeting.

Colonel Miller closes his address with a few final words. The Colonel stated that he will try to be at all future ADG meetings. However, he does have other pressing issues. He will provide the resources necessary to make these meetings a success. Colonel Miller recommended that the group put on their statesmen's hats and in a collaborative effort provide a vision for the study area. Lastly, he stated that he is here to ensure that the ADG can trust that the Corps will not sell their interests down the river.

Given a clearer understanding of the reason for the ADG, the group was asked if they are committed to meeting the goal. It was stressed to the ADG that this commitment is critical to the group's success and efficient progress. Some discussion was offered; a point raised was that this was not about critiquing the Corps regulatory process. The ADG agreed to police itself to stay on track and unanimously indicated commitment to the process.

Permit Process Illustrative Case Study (Corps Perspective)

Bob Barron and Skip Bergmann, Corps regulatory division representatives, presented a illustrative case study. They applied the twelve issues as if they were evaluation factors to the hypothetical alternative(s) for the property in question. The presenters first identified and described the area in question which actually exists in the study area. Thus, most ADG members were familiar with the site. Also, they presented the ADG's twelve issue categories and subissues found in Appendices H and G of the notes from the first meeting. In a matrix format, these issues and subissues were compared to the Corps' permit process "public interest factors" and NEPA's EIS "environmental effects." Information and data resources were identified to address each subissue, factor, and/or effect. Lastly, the evaluation factor measures to address the subissues, factors, and/or effects were identified by the presenters where possible. The maps of the hypothetical study area and the matrix of issue categories, subissues, factors, effects, data sources, and measures are presented in Attachment B.

A member of the ADG asked if there is one or more factors that the Corps struggles with more than the others. Mr. Barron's responded that he did not want to place any prioritization on the factors. That factors that are struggled with by the Corps are typically site specific. Lastly, a member asked is there a formal arbitration process when the Corps and the county comprehensive plans are in conflict. Mr. Hall stated that no such case has occurred to date.

ADG Study Area Vision

The ADG was asked by the facilitation team to graphically depict their “broad-brush” vision for the study area. It was emphasized that this was in no way a detailed depiction of alternatives, but rather a general portrayal of basic ideas for the study area. To aid in the development of their vision, maps were provided to each member of the ADG. Each member of the ADG graphically portrayed their vision of the study area. The goal of this exercise was to find geographic areas of commonality within the ADG. The color scheme for the primary vision items were as follows;

- water (blue)
- development (red)
- environmental (green)
- other (black)
- agriculture (red with black stripes)

Individual Study Area Vision

The ADG divided into four subgroups and determined the geographic areas of commonality among the members’ visions. These geographic areas of commonality and resulting areas where no commonality was found were transposed to a composite subgroup map. A spokesperson of the subgroup presented their groups composite maps to the ADG. Each spokesperson provided commentary regarding the subgroups vision maps.

Composite Study Area Vision

Given the four subgroup vision maps displaying areas of commonality as well as areas of no commonality, a composite map was developed by the ADG. The composite map is provided in Attachment C. The composite map displays areas of group commonality and resulting areas of no commonality. However, there are areas that require further discussion and explanation.

Areas of special consideration were the residential areas of Golden Gate Estates in Collier County and Lehigh Acres located in Lee County. It is recognized that there are areas of environmental importance in these present residential areas. Lehigh Acres is a multipurpose area for wildlife, recharge, and residential development. Another area of discussion was the north Belle Meade area as potential environmental area as well as an important recharge area. All major flowways were identified as important for water quality and environment. Drainage from Lake Trafford was also seen as important for water quality and environment. There were identified areas of contention along Immokalee Road. It was agreed on the map that all public land remain preserves. The flowway to Rookery Bay was identified as important habitat for panthers and

bears as well as fisheries. Mining was recognized as important to the economy of Lee and Collier counties. It was also recognized that all agricultural lands had wildlife and other natural resource values.

Other areas that warrant more detailed discussions at future ADG meetings were identified by several members. The inclusion of San Carlos Bay in the study area was mentioned but no final decision was made by the group. The group also agreed on review of the composite map to mark Estero Bay for environmental and water resource importance. There was discrepancy concerning a development corridor along route 951. The original dashed line showing this corridor was removed from the group's composite map. There was also discrepancy concerning a buffer area around Estero Bay.

Areas of commonality were displayed using the color scheme provided above. Areas of discrepancy or no commonality were left unmarked to show the need for further evaluation. This exercise was done to provide a base map of a general group vision for the study area. However, more detailed maps will be used in the development of alternatives for the study area.

Twelve Issues Addressed

Twelve issue categories were identified at the first ADG meeting. These issue categories will serve as the basis for the development of evaluation factors. However, it must first be determined that the issue category addresses the Charge of the ADG and that it is able to be used to discriminate among alternatives. The Charge of the ADG was presented in the notes from the first meeting.

First the group wanted to change two of the twelve issue category titles. After much discussion, the issue category of "maintain ecological integrity" was renamed "ecosystem function, wildlife habitat, and listed species." Also, the issue category of "regulatory efficiency" was renamed "regulatory efficiency and effectiveness."

The first activity for the group was to determine whether or not each issue category addressed the Charge of the ADG. It was agreed by the group that all issue categories met the Charge. As of the third ADG meeting, the issue categories are as follows;

1. property rights
2. ecosystem function, wildlife habitat, and listed species
3. regulatory efficiency and effectiveness
4. local land use policy
5. cumulative/secondary impacts
6. avoidance of wetland impacts
7. water management
8. water quality
9. economic sustainability

10. mitigation
11. restoration/retrofit
12. public lands management/use

Although the ADG agreed that these issue categories met the Charge, there was some dispute among group members concerning a number of the issue categories. For instance, the group discussed whether the issue category of “cumulative/secondary impacts” was an issue that could discriminate among alternatives. It was suggested to remove it from the list of issue categories. However, it was agreed by the group to consider this issue but realize that there could be cumulative impacts for all other issue categories. It was stated that “avoidance of wetland impacts” could be addressed as a subissue of “ecosystem function, wildlife habitat, and listed species.” However, it was stated that the Corps looks at wetlands as a specific issue. The ADG agreed to leave as its own issue category. Both the issue categories of “mitigation” and “restoration/retrofit were” were proposed to the group as being tools and not really issues. However, the group agreed that these will have impacts on alternatives selection and they both meet the Charge of the ADG.

During the discussions of the Charge, the first sentence of Charge where it refers to regulatory processes was brought into question by the ADG. It was agreed that in order to clarify this statement it should read “regulatory decision-making processes.” This clarification is now reflected in the ADG Charge.

Factor Specialty Groups

Factor specialty groups were formed to identify factors by which the ADG could evaluate alternatives. The basis for these evaluation factors are the twelve issue categories. The twelve issue categories were grouped based on the similarity in the categories and professional expertise of the ADG. Although the twelve issue categories were grouped for efficiency sake, they will each be addressed separately by the factor specialty groups. The twelve issue categories presented above were grouped as follows;

- (1) property rights, (4) local land use policy, and (9) economic sustainability
- (3) regulatory efficiency and effectiveness, (6) avoidance of wetland impacts, and (10) mitigation
- (7) water management, (8) water quality, and (11) restoration/retrofit
- (2) ecosystem function, wildlife habitat, and listed species, (5) cumulative/secondary impacts, (12) public lands management/use

Factor specialty groups were formed based on expertise or interest regarding the grouping of twelve issue categories. The factor specialty groups will identify evaluation factors using the twelve issue categories as a basis for development. They will describe the evaluation factor, determine the types of measurement, and identify data sources and reference materials.

Each factor specialty group met and discussed their issues categories the afternoon of May 22, 1998. Each group identified a spokesperson to represent their factor specialty group to the ADG. Dale Brown reminded the ADG of the time constraints of this project. Thus, they must work with available data and information. Each factor specialty group reported their group's in-progress efforts towards the development of evaluation factors. Each factor specialty group will reconvene at the fourth ADG meeting to further develop the evaluation factors. The factor specialty groups were encouraged to make progress between meetings.

As an example of alternatives development and the use of evaluation factors, the Lake Belt report was provided to the ADG. The report is an example of the type of report to be developed by the ADG for the EIS.

Parking Lot Items Addressed

The parking lots items identified at meeting two were all addressed at the third meeting. These items were as follows;

- change the name of current issue "maintain ecological integrity"
- Change the name of current issue "regulatory efficiency"
- statutory requirements/compliance
- review list of 25 Corps criteria
- Permit process case study (Corps perspective)

The permit process item was addressed by providing a permit process case study at the third ADG Meeting. It was agreed by the group that Corps' criteria and statutory requirements were addressed during this meeting. The renaming of issue categories was also accomplished during the third meeting.

Meeting Three Summary

Mr. Feather proposed a format of the summary presentation to the ADG similar to that of the previous meetings focused around the following topics.

- Activities (who, what, where, and why)
- Accomplishments
- Next steps
- Next meeting information

Mr. Feather offered the accomplishment topics of (1) address by Colonel Miller, (2) permit process case study, (3) graphical vision for Lee and Collier counties, and (4) initial

evaluation factor identification and development. The summary presentation is provided in Attachment D.

Next Meeting

The fourth meeting will be held at the Bonita Springs Community Hall on June 4 and 5, 1998. A map of the meeting location was distributed to the ADG. Topics of the meeting will be continued development of evaluation factors as well as alternatives.

ATTACHMENT A

ALTERNATIVES DEVELOPMENT GROUP MEETING #3 ATTENDEES

LIST OF ATTENDEES
ALTERNATIVES DEVELOPMENT GROUP
MEETING #3, MAY 21-MAY 22, 1998

Members Represented:

Robert S. Baker
Council of Civic Associations

Rick Barber
Chief Executive Officer
Agnoli, Barber & Brundage, Inc.

Tom Beck
Department of Community Affairs

John Cassani
Lee County Hyacinth Control District

Wayne Daltry and David Burr (alternate)
Executive Director
SW FL Regional Planning Council

Claudia Davenport
Big Cypress Basin Board

David Douglas
David Douglas Assoc., N Ft. Myers Chamber of Commerce

Kim Dryden
U.S. Fish and Wildlife Service

Tim Durham and Clay Carithers (alternate)
Wilson, Miller, Barton & Peek, Inc.

Gary Lee Beardsley (alternate for Clara Anne Graham-Elliott)
League of Women Voters of Lee County

William Jolly (alternate for John Folks)
Department of Agriculture and Consumer Services

Edward Griffith
Director of Planning
WCI Communities

David Guggenheim
The Conservancy of Southwest FL

Bill Hammond and Karen Johnson (alternate)
South Florida Water Management District

Jim Beever (alternate for Bradley J. Hartman)
Director, Office of Environmental Services
Florida Game and Fresh Water Fish Commission

Peggie Highsmith and Gary Maier (alternate)
Department of Environmental Protection

Ronald Inge
Harper Bros., Inc.

Wallace Kain
Mayor
City of Sanibel

Earl Kegg
Collier County Representative

Richard Klaas and Michael Simonik (alternate)
Florida Real Estate Consultants

Bonnie Kranzer
Governor's Commission for Sustainable South Florida

Al Lucas, Terry Rice (alternate), and Jeff Rhodes (alternate)
U.S. Environmental Protection Agency

Karen Johnson (alternate for Chip Merriam)
Director, Fort Myers Service Center
South Florida Water Management District

Neale Montgomery and Katherine English (alternate)
Paves, Garner, Haverfield, Dalton, Harrison & Jensen

Bob Mulhere
Director, Collier County Planning

Paul O'Connor
Planning Division Director
Lee County

Robert H. Roth, P.E.
Barron Collier Partnership/Silver Strand Division

Cullum Hasty (alternate for Fran Stallings)

Ned Dewhirst (alternate for Mark P. Strain)
Gulf Bay Communities, Inc.

Kris Thoemke
Director, Everglades Project
National Wildlife Federation

Matthew D. Uhle and Mike Roeder (alternate)
Economic Dev. Coalition of Lee Co.

Whit Ward and Michael Reitmann (alternate)
Collier Building Industry Association, Inc.

John R. Hall
Department of the Army, Jacksonville District Corps of Engineers, Regulatory Division

Observers:

Col. Joe Miller
District Engineer, Corps of Engineers, Jacksonville District

Dennis Peters
SAIC/EPA

Jon Iglehart
DEP

Tim Jones
Lee County

Nancy Payton
Florida Wildlife

Terrence Dolan (alternate)
WCI Communities

Beverly Lindgren
Florida Gulf Coast

Facilitation Team:

Timothy Feather
Program Manager
Planning and Management Consultants, Ltd.

Dale Brown
Lead Facilitator
Planning and Management Consultants, Ltd.

Michael Beezhold
Meeting Recorder
Planning and Management Consultants, Ltd.

ATTACHMENT B

ALTERNATIVES DEVELOPMENT GROUP PERMIT CASE STUDY

ATTACHMENT C

ALTERNATIVES DEVELOPMENT GROUP COMPOSITE MAP

ATTACHMENT D

ALTERNATIVES DEVELOPMENT GROUP SUMMARY PRESENTATION MEETING No. 3